

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Ingemar Starke et al. Art Unit : 1625  
Serial No. : 10/546,005 Examiner : David K. O'Dell  
Filing Date (§ 371) : August 18, 2005 Conf. No. : 8620  
Title : BENZOTHIAZEPINE AND BENZOTHIOPINE DERIVATIVES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS  
UNDER 37 C.F.R. § 1.27(c)(1)**

Applicant hereby asserts, under 37 C.F.R. § 1.27(c)(1), entitlement to small entity status in the above-identified patent application, for the purpose of paying reduced fees in connection therewith.

The undersigned is entitled, under 37 C.F.R. §§ 1.27(c)(2)(i) and 1.33(b), to make the instant assertion, by virtue of being a patent practitioner, not of record in the instant application, but acting in a representative capacity under 37 C.F.R. § 1.34.

Applicant believes that no fee is due with this communication. However, if it is determined that a fee is due, please charge the required fee to Fish & Richardson P.C. Deposit Account No. 06-1050 (ref. no. 23854-0005US1).

Respectfully submitted,

Date: June 23, 2009

/Richard G. A. Bone/  
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**CERTIFICATE OF TRANSMISSION BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: June 23, 2009

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